

1 HOUSE BILL NO. 1996
2 AMENDMENT IN THE NATURE OF A SUBSTITUTE
3 (Proposed by the House Committee for Courts of Justice
4 on _____)
5 (Patron Prior to Substitute--Delegate Herring)

6 A BILL to require the Forms and Efiling Subcommittee of the Committee on Self-Represented Litigants
7 of the Supreme Court of Virginia's Access to Justice Commission to develop plain English
8 instructions for interpretation of the Summons for Unlawful Detainer form.

9 **Be it enacted by the General Assembly of Virginia:**

10 1. § 1. The Forms and Efiling Subcommittee of the Committee on Self-Represented Litigants of the
11 Supreme Court of Virginia's Access to Justice Commission shall develop plain English instructions that
12 explain to defendants how to interpret Form DC-421 (Summons for Unlawful Detainer/Civil Claim for
13 Eviction). Subject to the approval of the Supreme Court of Virginia, such instructions shall be posted by
14 the Office of the Executive Secretary of the Supreme Court of Virginia on the Virginia Courts website
15 and made available to the public at the clerks' offices of the local general district courts and may be
16 attached to the Summons for Unlawful Detainer served upon defendants at the direction of the chief judge
17 of the general district court. Such instructions shall (i) be printed in no less than 14 point type; (ii) be
18 understandable to persons whose literacy level matches the Virginia literacy level for fourth grade; (iii)
19 explain that failure to appear in court on the hearing date may result in eviction from the defendant's
20 household; and (iv) provide the statewide Legal Aid and Virginia Eviction Reduction Pilot program
21 websites and, if applicable, telephone numbers, directing defendants to contact those programs for more
22 information and assistance. Such instructions may be translated by the local general district courts into
23 languages other than English as necessary. For purposes of this act, "plain English" means written in
24 nontechnical, readily understandable language using words of common everyday usage and avoiding legal
25 terms and phrases or other terms and words of art whose usage or special meaning primarily is limited to
26 a particular field or profession.

27

#